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| To: U.S. Patent & Trademark Office | From: Ronald E. Smith |
| Attn: Andrew D. Wright - Art Unit 3617 | Client: 1027.02 |
| Fax: (703) 872-9326 | Pages: 4 including coversheet |
| Phone: (703) 308-6841 | Date: September 8, 2004 |
| Re: USSN 10/707,590 | CC: Robert L. Wheeler |
| <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle | |

Dear Examiner Leith:

In response to the non-final office action mailed August 12, 2004, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 8, 2004 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Ronald E. Smith
 Reg. No. 28,761

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Practitioner's Docket No. 1027.02

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
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In re Application of: Robert L. Wheeler

Serial No.: 10/707,590

Filed: 12/23/2003

For: Self-Generating Air Cushion Vessel

Art Unit: 3617

Examiner: Andrew D. Wright

Confirmation: 1589

SEP 08 2004

Faxed to Technology Center 3600 at (703) 872-9326
 Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



SIGNATURE OF PRACTITIONER

Ronald E. Smith
 Smith & Hopen, P.A.
 15950 Bay Vista Drive, Ste. 220
 Clearwater, FL 33760
 (727) 507-8558

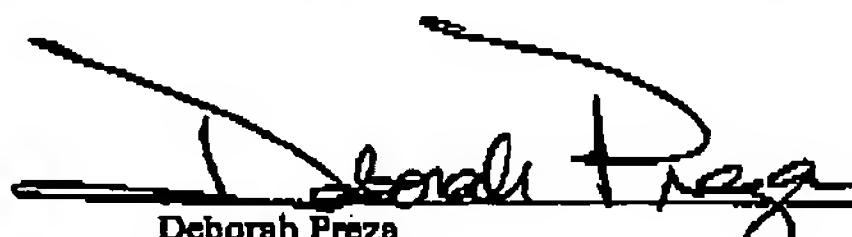
Reg. No.: 28,761
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 3617, Attn: Andrew D. Wright, (703) 872-9326 on September 8, 2004.

Dated: September 8, 2004



Deborah Preza

(Amendment Transmittal—page 1)

Practitioner's Docket No.: 1027.02

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: **Robert L. Wheeler**Serial No.: **10/707,590**Filed: **12/23/2003**For: **Self-Generating Air Cushion Vessel**RECEIVED
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SEP 08 2004

Art Unit: **3617**Examiner: **Andrew D. Wright**Confirmation: **1589**

Faxed to Technology Center 3600 at (703) 872-9326
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed August 12, 2004, having a shortened statutory period for response set to expire September 12, 2004 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute Species A, Figures 1-14. The claims readable thereon are claims 1-10. This election is made without traverse.

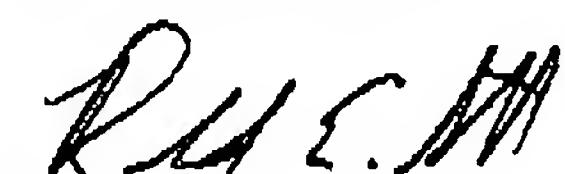
REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

By:



Ronald E. Smith

Suite 220

15950 Bay Vista Drive

Clearwater, FL 33760

(727) 507-8558

Attorneys for Applicant

Dated: September 8, 2004

pc: Robert L. Wheeler

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 3617, Attn: Andrew D. Wright, (703) 872-9326 on September 8, 2004.

Dated: September 8, 2004



Deborah Preza